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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,721	08/27/2003	Suresh Jeyachandran	03500.013007.1	3864

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EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/648,721	JEYACHANDRAN ET AL.	
	Examiner	Art Unit	
	Jerome Grant II	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29--164 and 173-192 is/are pending in the application.
- 4a) Of the above claim(s) 39-66 and 155-164 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 29-38, 67-94 and 173-192 is/are allowed.
- 6) ☒ Claim(s) 95-154 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/04; 2/05 and 8/03</u> | 6) <input type="checkbox"/> Other: _____ |

[Signature]
JEROME GRANT II
PRIMARY EXAMINER

Detailed Action

1.

Claims 99 and 118 are rejected under 35 USC 112 4th paragraph. These claims must refer to dependant claims in the alternative only, or example, anyone of claims x or y.

2.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 95-154 are rejected under 35 U.S.C. 102(b) as being anticipated by Gordon.

With respect to claims 95 and 114, Gordon teaches an image processing apparatus comprising: management means for managing a process to be completed in correspondence with user by entered instructions. The management means ins the

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SAFF 8, 18 and the user is an operator of the system who can access the system by a remote telephone call. Once the user enters the systems, the user can enter a set of instructions through keypad or voice prompt, see col. 9, lines 55-63. The instruction mean is the keypad or computer for instructing a set of instructions. Gordon teaches a series of determining means such as elements 11/21 or elements 9 /19 for determining if an instruction by a user has been determined. For example, the SAFF store facsimile data from one originating fax machine to a second fax machine across the destination SAFF. A confirmation of delivery is sent to the originator fax when the recipient fax has successfully received the transmitted fax. This is also part of the notification means as claimed. In the event of a failed transmission. A user can be granted further access to the system to provide alternative arrangements for transmission or to cancel or retry the call at a latter time. See col. 13, lines 5-23.

With respect to claims 96 and 115, the logout instruction as referred to in the claim is synonymous with the delete instruction that the user communicates as one of the options available when the attempted transmission of a document fails the transmission.

With respect to claims 97 and 116, figures 8 and 9 show display means for displaying the results of a communication process. This anticipates the display of transmission jobs and their status as to its delivered state or the inhibition thereof.

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With respect to claims 98 and 117, the list of the jobs that have been processed or not is executed when the Delivery Report is sent to the originating fax machine by means of the transmitting SAFF 8. The Delivery Report may be printing by the originating fax machine regarding the status of the previously faxed job.

With respect to claims 99 and 118, the notification means referred to in the claim reads on the fax numbers corresponding to the receiver and destination fax numbers.

With respect to claims 100 and 119, Gordon teaches a computer of a SAFF for excepting inquiry from an outside user and includes an identifier, such as the fax job, identification of the user and the destination and originating fax numbers corresponding to the fax job. The execution, as referred to in the claim corresponds to the three processes that may be executed upon a failed delivery attempt: 1) retry the transmission at a later time for a predetermined number of tries; 2) cancel or delete the job 3) redirect the job to a different telephone number that is most likely to result in a fax transmission.

With respect to claims 101 and 120, the response referred to is the result of the execution referred to in the previous claim.

With respect to claims 102 and 121, the instruction corresponds to the three modes of operation that a user can input to the system regarding a failed report

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With respect to claims 103, 112, 122 and 131, the acceptance of a telephone inquiry is only the result of a successful dial in by the user. The user would need a password to get into the system for making a change to the delivery status using a telephone.

With respect to claims 104, 113, 123 and 132, Gordon teaches the reading, printing and communication as performed by the fax devices 1, 3, 28 and 30.

With respect to claims 105 and 124, Gordon teaches a SAFF 8 or 18 for accepting a inquiry from an external device (telephone) as claimed.

Gordon teaches a execution means 11/21 or 9/19 for the purpose claimed.

With respect to claims 106 and 125, Gordon teaches the inquiry is in relation to the current status (delivery status of a fax transmission) and an execution of the status by means of a Delivery Report sent to the originating fax.

With respect to claims 107 and 126, Gordon teaches the inquiry is in relation to the current status of a delivery process as claimed.

With respect to claims 108 and 127, Gordon teaches that the apparatus, through a Delivery Report, instructs the status of a delivery operation.

With respect to claims 109, 111, 128, and 130 Gordon teaches an inquiry where a set of instructions are provided that the apparatus will perform. The instructions given by a user.

With respect to claims 110 and 129, Gordon teaches one of the processing modes is a cancellation of the fax job. See col. 9, lines 35-46.

With respect to claim 133, Gordon teaches software control (col. 19) for performing the processing method and for controlling the image processing apparatus comprising: management means for managing a process to be completed in correspondence with user by entered instructions. The management means ins the SAFF 8, 18 and the user is an operator of the system who can access the system by a remote telephone call. Once the user enters the systems, the user can enter a set of instructions through keypad or voice prompt, see col. 9, lines 55-63. The instruction mean is the keypad or computer for instructing a set of instructions. Gordon teaches a series of determining means such as elements 11/21 or elements 9 /19 for determining if an instruction by a user has been determined. For example, the SAFF store facsimile data from one originating fax machine to a second fax machine across the destination SAFF. A confirmation of delivery is sent to the originator fax when the recipient fax has successfully received the transmitted fax. This is also part of the notification means as claimed. In the event of a failed transmission. A user can be granted further access to the system to provide alternative arrangements for transmission or to cancel or retry the call at a latter time. See col. 13, lines 5-23.

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With respect to claim 135 the input of PIN as recognized by the SAFF via an operator as a manager anticipates the limitation of this claim. The display means in figures 8 and 9 serve to display the content of the user.

With respect to claims 137 and 150, the logout instruction is inherent with respect to the user being able to enter the system. When the operation modes have been designated and the result entered, the user exists the system to prevent others from accessing it to get into the system. This process is a log out and seems inherent with respect to Gordon.

With respect to claims 138, 151 and 154, Gordon teaches the reading, printing and communication as performed by the fax devices 1, 3, 28 and 30.

With respect to claims 139, 142, 148 and 152, Gordon teaches the claim limitations. The entering of a PIN number and access to the SAFF or the SAFF computer is the verification that the user is a manager of the information sought to be communicated.

Permission is granted when the operator successfully enters the password or enters the PIN correctly. Once the manager has access to the system, the jobs can be deleted or printed to a different machine or at a later time.

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With respect to claims 140 and 153, a Delivery Confirmation/ Report is sent to the originating party via the SAFF 8 serving as the notification means referred to in the claim. A user is notified of the status of the job i.e., that the job may have been deleted.

With respect to claims 141, 144 and 147, faxes 1, 3, 28 and 30 perform both a reading and printing function as fax machines.

With respect to claim 145, a fax machine with an internal modem 191 col. 15, lines 60-67 is the proxy device referred to in the claim. Col. 14, lines 32-47 addresses the Mail Box of figure 4 as the voice communication means by telephone via a modem.

With respect to claim 146, Gordon teaches a plurality of devices, (a plurality of fax machines) that interact with the SAFFs are able to be set up for communication.

3.

Claims Objected to As Containing Allowable Matter

Claims 136, 143 and 149 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4.

Allowed Claims

Claims 29-38, 67-94 and 173-192.

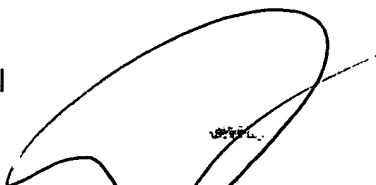
5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.-Thurs. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore, can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Grant II



JEROME GRANT II
PRIMARY EXAMINER